

Commentary on Williams (2013)

Abstinence from or management of gambling in jails and prisons? Perspectives of a field worker

Dr. Jeffrey J. Marotta

Problem Gambling Solutions, Inc., Portland, OR, USA
Department of Psychiatry, Oregon Health & Science University, Portland OR, USA

In the United States, prisons and jails routinely prohibit gambling (Federal Bureau of Prisons, 2012). However, does this policy do more harm than good? This question has gained increasing relevance over the past few years as corrections populations swell (Pew Center, 2008), evidence mounts that problem gambling rates among incarcerated populations are very high (Williams, Royston, & Hagen, 2005), and problem gambling becomes viewed as a risk to community re-entry (Williams & Walker, 2009) and a theorized liability for offender re-incarceration (Marotta, 2004).

Gambling and problem gambling among criminal offenders represents an important area of study for several reasons. First, problem gambling can have a significant and devastating impact on affected individuals, their families, and others, such as victims of gambling related crimes. Secondly, as a disorder linked to criminal behavior (Meyer & Stadler, 1999; Smith, Wynne, & Hartnagel, 2003), interventions and policies designed to reduce incidence or re-occurrence of an active gambling problem can reduce burden on law enforcement, criminal justice systems, and corrections systems. Finally, investigating programs and policies addressing gambling in jails and prisons can lead to important discoveries relating to prison culture, prisoner order, and community re-entry.

The paper by DJ Williams describes two salient issues: the offender population has the highest estimated rate (33%) of problem and pathological gambling of any systematically studied group (Williams, Royston, & Hagen, 2005) and gambling is a common activity in this population that more often results in positive experiences, such as enjoyment and socialization, than it does in serious violence or the development of a gambling disorder. Williams provides a number of suggestions including the need to increase recreational opportunities for inmates, screen offenders for gambling problems upon system entry, and invest in problem gambling treatment and prevention programs. These recommendations are well

founded. However, DJ Williams' final recommendation, to allow limited forms of recreational gambling within jails and prisons, deserves further consideration.

Inmate gambling has not always been a prohibited activity within prisons, at least not within the Nevada State Prison system. In 1932, inmates established a casino on the grounds of the Nevada State Prison where blackjack, craps, poker, and sports betting were available as recreational activities for offenders (Vogel, 2010). Then 35 years later, Warden Carl Hocker closed down the prison's casino. By his own account, he viewed gambling in prison as degrading to the system and not constructive use of inmate time (Vogel, 2010). Also in 1967, in response to a prison riot, Nevada state legislators introduced a bill to close down the Nevada State Prison casino. The sentiments expressed by Nevada decision makers in 1967 continue today; gambling is often viewed as exacerbating prison violence, gambling is not viewed as a constructive form of recreation, and sanctioning gambling within jails and prison systems may be negatively viewed by the public and politically unpopular.

Aside from prevailing opinions creating barriers to a managed approach toward gambling in prisons, there are other practical and theoretical considerations supporting the status quo. From an enforcement standpoint, a managed approach toward gambling may further complicate the challenging task of identifying prohibited gambling activity by blurring boundaries as to when gambling is permissible. A managed approach toward gambling may also be inconsistent with the credo that the best method to achieve inmate compliance with rules is to be firm, fair, and consistent (Steiner, 2008). Under a managed approach toward prison gambling, some inmates would be allowed to gamble, others not, gambling in some locations and times would be allowed, but not so with other locations or times, and ultimately some inmates could be penalized while others not, for the same behavior. Consequently, there may be a risk for fostering or exacerbating inmates' feelings of inequity by creating facility rules perceived as unfair and inconsistent. This is an important consideration as Steiner (2008) found inmates committed fewer infractions when they held favorable beliefs regarding the facility rules and the staff who enforce them.

As stated by DJ Williams, increased attention to gambling and offender populations is needed. Williams postulates that efforts to support better communication and a more open climate between staff and inmates may be helpful in recognizing cases of problem gambling and facilitate inmate-to-inmate cooperation. Rather than addressing this need through a managed approach toward gambling, efforts should be directed at other ways to impact institutional culture as it relates to gambling and problem gambling. Inmates may benefit from explanations as to why gambling is disallowed including their heightened risk for manifesting or developing a gambling problem, the desire to create a safe environment, consideration for fellow inmates recovering from problem gambling, and the threat gambling places on the success of reintegration into mainstream society.

Educating staff is important to increase sensitivity and awareness of ways gambling and problem gambling may impact the prison community and inmate rehabilitation. With continued attention and understanding of the impact of gambling and problem gambling on offender populations, we will be better informed in decisions regarding how best to prevent, manage, and treat problem gambling among criminal offenders.

References

Federal Bureau of Prisons. (2012). *Inmate Information Handbook*, Revised January 2012. U.S. Department of Justice: Author.

Marotta, J.J. (2004, June). *Get out and stay out: A pre-release program for incarcerated female gamblers*. Paper presented at the 18th National Conference on Problem Gambling, Phoenix, Arizona.

Meyer, G. & Stadler, M. A. (1999). Criminal behavior associated with pathological gambling. *Journal of Gambling Studies*, 13, 29-43.

Pew Center on the States Public Safety Performance Project. (2008, February 28). *One in 100: Behind bars in 2008*. Washington, DC: Author.

Smith, G., Wynne, H., & Hartnagel, T. (March 2003). *Examining police records to assess gambling impacts: A study of gambling-related crime in the city of Edmonton*. Alberta Gaming Research Institute: Alberta, Canada.

Steiner, B. (2008). *Maintaining Prison Order: Understanding Causes of Inmate Misconduct within and Across Ohio Correctional Institutions*. Unpublished doctoral dissertation. University of Cincinnati, Ohio.

Vogel, E. (2010, November 26). Prison casino in history. *Las Vegas Review Journal*. Retrieved from <http://www.lvrj.com/news/prison-casino-is-history-110786919.html>

Williams, DJ & Walker, G. J. (2009). Does Offender Gambling on the Inside Continue on the Outside? Insights From Correctional Professionals on Gambling and Re-Entry. *Journal of Offender Rehabilitation*, 48, 402–415.

Williams, R.J., Royston, J., & Hagen, B.F. (2005). Gambling and problem gambling within forensic populations: A review of the literature. *Criminal Justice and Criminal Behaviour*, 32, 665-689.
